

Secretary of Health and Human Resources'
CHILD SUPPORT GUIDELINE REVIEW PANEL
730 East Broad Street - Management Services Unit
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Joseph S. Crane, Chairman
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August 19, 2002 Meeting

The meeting of the 2001-2002 Secretary's Child Support Guideline Review Panel was held on Monday, August 19, 2002 in the lower level of the Theater Row Building, Richmond, VA. Mr. Joseph Crane, Chairman, declared a quorum to be present and called the meeting to order at 9:50 AM.

The following members were present for the meeting: Ms. Cathy Burch, Mr. Maxie Cannon, Chairman Joseph Crane, Mr. Lawrence Diehl, Mr. Murray Steinberg, Ms. Stephanie Sulmer, Judge Patricia West, and Judge Ellen White. Support staff present included Bill Brownfield, Bob Owen and Angela Thomas. Panel members Ms. Amy Atkinson, Ms. Cynthia Ewing, Senator Fred Quayle, and Delegate Vivian Watts were unable to attend.

Ms. Burch moved approval of the minutes of the August 1, 2002 meeting as revised. The motion was approved unanimously.

Chairman Crane presented for review a summary of motions and actions approved by the Panel through its July 1, 2002 meeting. Judge White noted that the item from the September 25, 2001 meeting addressing self-employment tax need not go in to the Panel's final report, as the General Assembly had approved this issue at the 2002 meeting.

Ms. Burch moved the Panel review the "first mortgage" concept versus all children from any other families or relationships as it pertains to establishing monthly child support obligations. The motion was approved with two "nay" votes.

Mr. Cannon moved that in child support monthly obligation determinations, there shall not be automatic inclusion of income from overtime or secondary jobs, except in certain situations. Properly seconded, discussion of the motion was postponed in order for the Panel to hear the report from Dr. William Rodgers of the College of William and Mary.

Dr. Rodgers presented his work to date on the development of a new, unique-to-Virginia child support guideline Schedule of Monthly Child Support Obligations. Following his presentation, the Panel members asked numerous questions of Dr. Rodgers and a general discussion of his proposal followed. Panel members expressed their appreciation to Dr. Rodgers for his efforts to date.

Judge White moved that Dr. Rodgers be requested to provide to the Panel a monthly schedule of child support obligations (Schedule), based upon his initial recommendations, ensuring the Schedule include the following:

--To include a self-support reserve based upon the rate of 150% of the federal poverty rate for one person;

--Use the discount approach, as he presented as an option;

--For up to three children to use the "average use of vehicles, as recommended;" and,

--For four through six children, to use the "per capita" approach, as recommended.

In addition, the following sources should be removed from consideration as "gross income:" Supplemental Security Income (SSI), and welfare assistance including income from the Temporary Assistance to Needy Families (TANF). Finally, the Panel requests, to accompany the proposed new Schedule, a written report that outlines in reasonable detail all factors comprising the Schedule's content and as available, the methodology and proportionate contents, e.g. food, shelter, transportation, etc.

Mr. Diehl moved a substitute motion to Mr. Cannon's motion on second job and overtime income, that the Panel recommend an additional deviation be added to § 20-108.1(B) that income of the parties obtained from overtime or a second job be considered for inclusion or non-inclusion based upon the history of receipt of said income, purpose of said income, and any agreement of the parties related to it. The motion was approved unanimously.

The Panel, considering it's remaining work, and agreed to keep the next scheduled meeting of September 26, 2002. However, it was deemed that a Panel conference call prior to the September 26, 2002 meeting would be helpful. Staff is to contact Panel members for possible conference call dates. Staff will encourage Dr. Rodgers to have the draft Schedule completed as soon as possible, so that Panel members will have time to review it prior to the conference call. As several members had to leave the meeting, the Chair adjourned the meeting at 3:05 p.m.



Bill Brownfield, Secretary

These minutes were approved by the panel at their September 26, 2002 meeting.